

App. No. 10/716,802
Armdt. Dated June 30, 2005
Reply to Office Action of March 30, 2005
Atty. Dkt. No. 8591-111

REMARKS/ARGUMENTS

This reply is responsive to an Office Action dated March 30, 2005. Reconsideration and allowance of the application and presently pending claims 19-35 and 37 are respectfully requested.

Present Status of the Patent Application

Claims 19-35 and 37 remain pending in the present application. Claims 19-36 have been rejected. Claim 36 has been cancelled. Claim 37 has been added. Claims 19, 20, 23-25, 28-30, and 33-36 have been amended.

Response to Objection to the Specification

Correction of the third paragraph of the specification has been required by the Office Action due to a number of blank areas for the serial numbers of co-pending cases. Applicant has amended the third paragraph to include these serial numbers to overcome this objection.

Response to Claim Rejections Under 35 U.S.C. §103

Claims 19-36 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beckert et al. (U.S. Patent No. 6,796,497. Applicant respectfully traverses this rejection.

The Benkert patent discloses a credit limit card system, but does not disclose the use of transmitters.

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Independent Claim 19

Independent Claim 19, as amended, is allowable for at least the reason that Berkert does not disclose, teach, or suggest "providing a transmitter to each member of a group."

In this regard, the Office Action states that "[f]eatures that seem important in the invention, including the use of radio transmitters in the P.I.L. and transmission stations in the form of radio towers that serve to locate are not conveyed, and these are examples of things that could further limit the claims." The Office Action appears to imply and the Applicant agrees that Berkert does not disclose "providing a transmitter to each member of a group." Notwithstanding, the undersigned has reviewed the entirety of the Berkert patent and has failed to identify any such teaching anywhere within this reference. Accordingly, the Berkert patent fails to teach or disclose the invention as defined by claim 19, and the rejection of claim 19 should be withdrawn.

Independent Claim 24

Independent claim 24, as amended, is allowable for at least the reason that Berkert does not disclose, teach, or suggest "a transmitter for each member of a group" as described above regarding claim 19. Accordingly, the Berkert patent fails to teach or disclose the invention as defined by claim 24, and the rejection of claim 24 should be withdrawn.

Independent Claim 29

Independent claim 29, as amended, is allowable for at least the reason that Berkert does not disclose, teach, or suggest "a module for assigning a transmitter to each member of a group" as described above regarding claim 19. Accordingly, the

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Berkert patent fails to teach or disclose the invention as defined by claim 29, and the rejection of claim 29 should be withdrawn.

Independent Claim 34

Independent claim 34, as amended, is allowable for at least the reason that Berkert does not disclose, teach, or suggest "providing a transmitter to an individual" as described above regarding claim 19. Accordingly, the Berkert patent fails to teach or disclose the invention as defined by claim 34, and the rejection of claim 34 should be withdrawn.

Independent Claim 35

Independent claim 35, as amended, is allowable for at least the reason that Berkert does not disclose, teach, or suggest "a module for assigning a transmitter to an individual" as described above regarding claim 19. Accordingly, the Berkert patent fails to teach or disclose the invention as defined by claim 35, and the rejection of claim 35 should be withdrawn.

Dependent Claims

Dependent claims 20-23, 25-28, and 30-33 are believed to be allowable for at least the reason that these claims depend from allowable independent claims 19, 24, and 29, respectively. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

New Claim

Applicant respectfully submits that new claim 37 is in condition for allowance.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot, and/or accommodated, and that now pending claims 19-35 and 37 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at 619-231-3666.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By  _____

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